

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No.: 22-CIV-21673-DPG  
Bankruptcy case no.: 21-21661-RAM**

IN RE:

VANESSA CHIU

Debtor,

\_\_\_\_\_ /

**MEMORIAL HEALTHCARE SYSTEM'S  
UNOPPOSED MOTION TO SUSPEND APPEAL FROM BANKRUPTCY COURT**

Pursuant to S.D. Fla. L.R. 7.1, Memorial Healthcare System (“Memorial”), respectfully moves this Court to suspend its appeal from Bankruptcy Court that it filed on June 1, 2022 [DE 1; DE 5, DE 5-1, DE 5-2, DE 5-3], and, in support thereof, states as follows:

1. On May 19, 2022, the Bankruptcy Court granted in-part the debtor’s Motion for Contempt and Sanctions against Memorial. [DE 61].
2. On May 24, 2022, Memorial filed a Motion to Reconsider the Bankruptcy Court’s Order on the debtor’s Motion for Contempt and Sanctions. [DE 62]. That same day, Memorial filed a notice of hearing on its Motion for Reconsideration, which is currently set before the Bankruptcy Court on July 12, 2022 at 9:00 AM. [DE 65].
3. On May 27, 2022, to preserve its appellate remedies, Memorial filed its Notice of Appeal and Election to Appeal to District Court. [DE 66].
4. On June 10, 2022, Memorial directed the Clerk to transmit several documents for appeal to the District Court. [DE 70; DE 72; DE 72-1; and DE 72-2].
5. On June 27, 2022, the Clerk transmitted the appeal to the appeal to the District Court. [DE 75].

6. Counsel for Memorial has conferred with opposing counsel who has no objection to the instant motion.

Wherefore Memorial respectfully requests that this Court grant its motion to suspend its appeal, and to extend the time period to file its initial brief, if needed, until 30 days after the entry of an order on its Motion for Reconsideration. *See In re Woide v. Fed. Nat'l Mortg. Ass'n*, No. 6:10-BK-22841-KSJ, 2017 WL 477706, at \*4 (M.D. Fla. Feb. 6, 2017), *aff'd sub nom. In re Woide*, 730 F. App'x 731 (11th Cir. 2018).

Dated July 8, 2022

Respectfully Submitted,

/s/ Frank P. Rainer

Frank P. Rainer, Esq. (Fla. Bar # 436518)

[FRainer@mhs.net](mailto:FRainer@mhs.net)

Memorial Healthcare System

3111 Stirling Road

Hollywood, FL 33322

(954)265-5341

Attorney for Memorial Healthcare  
System

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by electronic filing via CM/ECF on July 8, 2022, on all counsel or parties of record on the Service List below.

/s/ Frank P. Rainer

Frank P. Rainer

**CERTIFICATE OF ADMISSION**

**I HEREBY CERTIFY** that I am admitted to the Bar of the United States District Court for the Southern District of Florida and I am in compliance with the additional qualifications to practice in this court as set forth in Local Rule 2090-1(A).

**CERTIFICATE OF COUNSEL CONFERENCE**

On July 5, 2022, Associate General Counsel, Scott R. Strauss, contacted counsel for the debtor, Jose A. Blanco, by the telephone and by electronic mail, on July 7, 2022, who does not oppose the instant motion.

**SERVICE LIST**

Jose A. Blanco, Esq.  
Florida Bar No. 062449  
[jose@blacopa.com](mailto:jose@blacopa.com)  
[attorneyblanco@gmail.com](mailto:attorneyblanco@gmail.com)  
Jose A. Blanco, P.A.  
102 E. 49th St.  
Hialeah, FL 33013  
Tel: (305) 687-8008  
Fax: (786) 567-5057  
Attorney for Vanessa Chiu

Nancy K. Neidich, Esq.  
Florida Bar No. 441856  
P.O. Box 279806  
Miramar, FL 33027  
Chapter 13 Standing Trustee  
[www.ch13miami.com](http://www.ch13miami.com)  
Bankruptcy Trustee